



SW Region Environmental Compliance Plan

Introduction

The Washington State Department of Transportation (WSDOT) values the environment and is committed to its protection within and adjacent to the state highway system right of way.

WSDOT policy on highway preservation and improvement projects, and highway operations and maintenance, is to make every effort to 1) avoid impacts to the environment; if impacts are unavoidable we 2) minimize impacts; and lastly, we 3) mitigate for any remaining impacts to the environment.

WSDOT is committed to minimizing environmental impacts on all state owned facilities, having zero permit compliance violations, implementing temporary and permanent erosion control for activities as appropriate, and introducing only clean stormwater from the highway system back into the natural environment.

This commitment to the environment goes beyond WSDOT construction and maintenance work. Utility companies, local agency improvement projects, private developments and adjacent local land owners all have varying levels of frontage or access to state highway right of way. We have a responsibility to ensure that activities within, and adjacent to, the highway right of way meet current environmental regulations. No matter what jurisdiction, private citizen or developer is working on a project; the public and the environmental permitting agencies perceive that an environmental permit compliance violation occurring within WSDOT highway right of way is a WSDOT responsibility.

Consequently, it is every WSDOT SW Region employee's responsibility to:

- Understand this Environmental Compliance Plan,
- Act as a steward of the highway system to protect the environment,
- Keep their eyes and ears open to all work proposed or occurring within state right of way,
- Proactively ensure that all work occurring within state highway right of way meets WSDOT commitments, and
- Report anything that appears to be unattended or suspicious within the WSDOT right of way or adjacent to it to their supervisor.

Purpose

In order to meet our commitment to minimize environmental impacts, implement appropriate erosion control, and protect stormwater as well as achieve the environmental performance measure of zero permit compliance violations throughout the WSDOT SW Region organizations of Maintenance and Construction, including all support functions, the SW Region needs a compliance plan. This compliance plan outlines the following:

- a) The roles and responsibilities of the key business organizations that are at risk of experiencing an environmental permit compliance violation every day when performing their essential functions – including Environmental, Maintenance, Construction, Utilities, Traffic, and the Materials Lab.
- b) A communication plan to follow to prevent a permit violation, or when a potential permit violation issue arises, in accordance with IL 4055.02. This includes a chain of approval authority, a decision tree for conflict resolution, and a contact list of responsible personnel.
- c) A process to assess the risk involved with activities associated with environmental permitting in Maintenance, Design and Construction and example scenarios that outline various ways to address this risk.
- d) In addition Training, Compliance Performance Standards, Constructability Review and Commitment Tracking and Conflict Resolution are covered in this document.

Roles and Responsibilities

SW Region Environmental Office

- 1. Contact between WSDOT and resource agencies for permit applications, biological assessments, general project environmental mitigation strategy communications and negotiations and emergency occurrences (per IL 4055.02 for Construction) (and per Southwest Region Emergency Work Procedures For Environmental Documentation, Permitting and Endangered Species Act Compliance and IL 4057.01 for Maintenance).
- 2. Determines environmental permits and documentation needed for Construction projects and Maintenance work.
- 3. Obtains and disperses resource agency permits and documentation to Construction and Maintenance.
- 4. Provides an environmental commitment notebook for each project to the Area Offices.
- 5. Coordinates with the appropriate Area Office and the PS&E Office to determine environmental commitment plans and specifications to be incorporated into PS&E's.

6. Reviews and provides concurrence on local agency, private developer and utility project environmental documentation and permits on projects within state highway right of way.
7. Performs project field permit compliance reviews upon request, from various sources including project offices, maintenance personnel, WSDOT Headquarters, and resource agencies, etc.
8. In conjunction with the Area Offices, monitors and reports environmental documentation and permit status to Region management and support teams.

SW Region Area Engineering Offices

1. Contacts SW Region Environmental Manager in case of environmental violation situations (per IL 4055.02).
2. Administers Construction Contract compliance of permits and conservation measures for all WSDOT Construction Program projects with the assistance of an environmental inspector. Prepares reports on project performance.
3. Determines the scope of work for highway Preservation and Improvement projects.
4. Determines scope and footprint of projects (including staging, designated waste sites, materials storage, access routes, etc.) and submits to Region Environmental Office to begin the environmental documentation and permitting process.
5. Coordinates with Region Environmental Office to determine commitment plans and specifications to be incorporated into PS&E's.
6. Monitors and reports project office environmental status to Region Environmental and Management.
7. First line contact with WSDOT hired contractors. Determines field situations, monitors permit compliance and coordinates with Region Environmental Office when communications are necessary with permitting agencies, and for guidance and direction.
8. Provides input and final review of contract environmental permit and conservation measures that are included in the PS&E to ensure that they are constructible, biddable and cost effective.

SW Region Maintenance

1. Determines Maintenance priority projects, activities and methods.
2. Informs the Maintenance Environmental Coordinator of work activities in sensitive areas and identifies impacts so that the Environmental Office may determine and obtain the required permits.
3. Ensures that environmental permits and commitments are followed on each project. Including following the ESA 4(d) Regional Road Maintenance Program.
4. Contacts Region Environmental Manager in cases of emergency environmental situations (per Southwest Region Emergency Work Procedures For Environmental Documentation, Permitting and Endangered Species Act Compliance).

SW Region Management

1. Sets policy on environmental compliance.
2. Supports Environmental Manager in contacts with HQ and resource agencies regarding communication, negotiations, prioritization and/or conflict resolution.
3. Makes project decisions with regard to the balance between project/maintenance impacts and environmental mitigations and commitments required by resource agencies.
4. Reports changes in project programming to Environmental and Area Offices.

SW Region Utilities Office

1. Contacts SW Region Environmental Manager in case of environmental violation situations (per IL 4055.02) on Utility work within state highway right of way.
2. Administers Utility agreement/permit compliance for all utility projects occurring within state highway right of way. Determines field situations, monitors permit compliance and coordinates with Region Environmental Office when communications are necessary with permitting agencies, and for guidance and direction.
3. Monitors and reports Utility work environmental status to Region Environmental office and Management.

Traffic Operations office

1. Contacts SW Region Environmental Manager in case of environmental violation situations (per Southwest Region Emergency Work Procedures For Environmental Documentation, Permitting and Endangered Species Act Compliance).
2. Administers Construction Contract compliance of permits and conservation measures for all WSDOT SW Region Traffic Operations projects with the assistance of an environmental inspector. Prepares reports on project performance.
3. Determines the scope of work for SW Region Traffic Operations projects.
4. Determines scope and footprint of Traffic Operations projects (including pole/post locations, staging, designated waste sites, materials storage, access routes, etc.) and submits to Region Environmental Office to begin the environmental documentation and permitting process.
5. Coordinates with Region Environmental Office to determine commitment plans and specifications to be incorporated into Traffic Operations projects.
6. Monitors and reports Traffic Operations project environmental status to Region Environmental and Management.
7. First line contact with SW Region Traffic Operations hired contractors. Determines field situations, monitors permit compliance and coordinates with Region Environmental Office when communications are necessary with permitting agencies, and for guidance and direction.

8. Provides input and final review of environmental permit and conservation measures that are included in the Traffic Operations projects to ensure that they are constructible, biddable and cost effective.

SW Region Materials Lab

1. Contacts SW Region Environmental Manager in case of environmental violation situations (per Southwest Region Emergency Work Procedures For Environmental Documentation, Permitting and Endangered Species Act Compliance).
2. Coordinates with Region Environmental Office to determine environmental permit and documentation needs for Materials Lab sampling or geotechnical investigations for WSDOT Construction and Improvement projects.
3. First line contact with SW Region Materials Lab or HQ geotech office hired contractors. Determines field situations, monitors permit compliance and coordinates with Region Environmental Office when communications are necessary with permitting agencies, and for guidance and direction.

Communication For Typical Projects and Activities

SW Region Area Engineering Offices

1. Determines scope of project and requests Environmental Review Summary from Region Environmental Office.
2. Communicates dates for environmental milestones, and provides needed data to meet those dates.
3. Updates PDIS schedules to reflect current project status. Communicates changes to environmental office.
4. Provides pertinent project data to Region Environmental Office for distribution to resource agencies.
5. Updates the Region Environmental Office about any changes in the project design that may impact required permits and environmental documentation.
6. Reports project compliance violations immediately to Region Environmental Manager per IL 4055.02 (Attachment).

SW Region Maintenance

1. Requests environmental review for each maintenance activity that may have resource impacts.
2. Provides Region Environmental Office with a schedule and description of anticipated work annually. (2 week schedules from Bridge)
3. Provides pertinent project data to Region Maintenance Environmental Coordinator for distribution to resource agencies.
4. Reports project compliance violations immediately to Region Environmental Manager.
5. Adheres to reporting requirements committed to under the ESA 4(d) Regional Road Maintenance Program.

SW Region Environmental Office

1. Provides timely review and communicates likely environmental documentation and permit requirements to Area Offices and Maintenance teams.
2. Communicates accurate environmental schedule information to Area Offices. Provide updates when changes occur.
3. Acts as the communication conduit between resource agencies and Area Offices or Maintenance during project negotiations.
4. Communicates data needs clearly and early on in project preparation.
5. Provides timely reviews of local agency, utility and private development project environmental documentation and permits, prior to WSDOT issuance of permits for work in state right of way.

Risk Assessment of Environmental Issues

WSDOT faces a delicate balance between program delivery and environmental permitting. This balance requires we apply critical thinking and careful judgment as to what environmental commitments are warranted, cost effective and capable of helping to reduce risk to budget and schedules for program delivery.

During the scoping phase of each project, our goal will be to determine the project footprint, identify sensitive environmental areas that may be impacted by the project, and then weigh the cost and schedule impacts of sensitive area avoidance versus these costs.

Training

SW Region will require environmental training for project inspectors tasked with oversight of compliance issues on project sites. Compliance training will be available by late Winter 2005.

We will make sure everyone who writes, implements or works with erosion control has a Temporary Erosion and Sediment Control (TESC) Certification. We will provide TESC training to any staff whose certification is not current. We will re-certify every three years.

Other current compliance-related training opportunities offered statewide include:

- Spill Plan Reviewer Training
- Wetlands Recognition, Regulations, Resource Value
- Excavation and Embankment Inspection
- Drainage Inspection
- Environmental Permitting Overview for Design Engineers
- Environmental Compliance Training for Maintenance

Compliance Performance Standards

- The SW Region Environmental Manager will track and report non-compliance events, per IL 4055.02 for Construction and IL 4057.01 for Maintenance.
- The SW Region Area Office Staff will assess compliance performance on at least an annual basis, and participate in developing annual statewide compliance performance report in the Gray Notebook (4th Quarter annually).

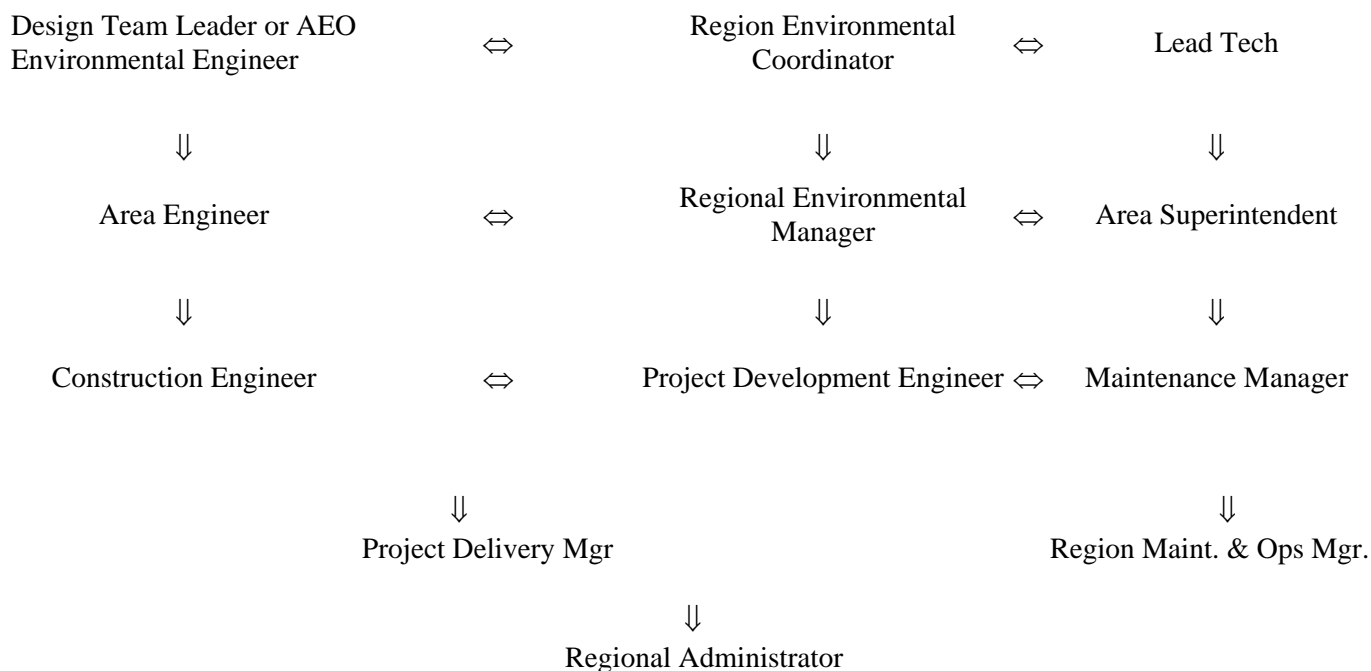
Constructability Review and Commitment Tracking

- SW Region environmental and area office staff will ensure that environmental permit compliance conditions are incorporated into contract documents.
- SW Region area office staff will ensure constructability reviews are completed for all work covered by environmental permits.
- SW Region environmental and area office staff will ensure that environmental compliance issues are adequately covered in preconstruction and pre-activity meetings between WSDOT and its' contractors.
- SW Region environmental staff will track environmental commitments. An information system to track formal commitments made during the project development process will be available May 2005. This system will track all formal commitments (environmental, design, right-of-way) from inception through construction to completion or handoff to Maintenance and Operations Office.
- SW Region management will provide its construction and maintenance personnel job-aids to help ensure all environmental commitments and permit conditions are implemented (regional examples include project inspection checklists, compliance binders for site inspectors, summarized notification requirements, etc.).
- SW Region environmental and area office staff will provide documentation that all environmental commitments have been met prior to completion of the project, and that Maintenance and Operations have received and understand all long-term compliance expectations for the site.

CONFLICT RESOLUTION

CONSTRUCTION

MAINTENANCE



Conflict Resolution Process

Frequently issues or conflicts arise from differences in perceived environmental impacts, avoidance/mitigation measures, interpretation of permit/commitment wording, and more.

It is regional policy to attempt to resolve the differences in opinion at the lowest possible level. Once in a while an issue arises that requires an issue to be raised to the next level. The following diagram depicts two-way dialogue between disciplines at various levels in the Region to resolve differences. Only a minority of the issues that are discussed at any one level should rise to the next level.

Contacts

SW Region Environmental Office

Becky Michaliszyn, Environmental Manager (360) 905-2174
For emergency situations, 24-hour availability pager (360) 806-9367
Emergency E-mail pager 13608069367@page.metrocall.com

Erin Gardner, Assistant Environmental Manager (360) 905-2185

Katie Mesich, South Area Environmental Coordinator (360) 905- 2294

Vickie Albert, North Area Environmental Coordinator (360) 905-2175

Candace Jochim, Maintenance Environmental Coordinator (360) 905-2173

Ryan McReynolds, Biologist (360) 905-2178

Tom Kohl, Biologist (360) 905-2183

Michelle Guay, Biologist (360) 905-2186

Dan Corlett, Landscape Architect (360) 905- 2086

Area Engineering Offices

Casey Liles, Vancouver Area Engineer (360) 905-1501

Chuck Ruhsenberger, Columbia Gorge Area Engineer (360) 759-1312

Leon Winger, Kelso Area Engineer (360) 442-1350

Rich Hensley, Chehalis Area Engineer (360) 740-8600

Maintenance Area Offices

Candi Hein, Area 1 Maintenance Superintendent (360) 905-2132

Paul Simonsen, Area 2 Maintenance Superintendent (360) 496-5516

Gene Dotson, Area 3 Maintenance Superintendent (360) 795-3400

John Hagedorn, Area 4 Maintenance Superintendent	(509) 493-2338
Ernie Garcia, Special Maintenance Superintendent	(360) 905-2203

SW Region Management

Don Wagner, SW Region Administrator	(360) 905-2001
Bart Gernhart, Project Delivery Manager	(360) 905-2012
Rick Sjolander, Maintenance & Operations Manager	(360) 905-2020
Glenn Schneider, Construction Engineer	(360) 905-2005
Rick Keniston, Project Development Engineer	(360) 905-2018



Southwest Region Emergency Work Procedures For Environmental Documentation, Permitting and Endangered Species Act Compliance

In the event of failure or imminent danger thereof to a transportation facility within the Southwest Region, Operations staff should contact the **Region Environmental Services Manager at (360) 905-2174 (or Pager #(360) 806-9367 after hours) or the Maintenance Environmental Coordinator at (360) 905-2173** for notification of emergency response work. Three instances require Operations staff to immediately initiate notification to resource agencies:

- ***Emergency response involving in-water work:*** Operations staff should immediately call the State Department of Fish and Wildlife emergency hotline at **360-902-2537**.
- ***Any type of incident involving a hazardous material spill or release:*** Operations staff should report the incident immediately and without delay. For spills involving petroleum products Ecology requires notification of the Washington State Emergency Management Duty Officer at 1-800-258-5990. For spills of any other hazardous material Ecology requires notification to the appropriate Ecology regional office, in Ecology's Central Region (Klickitat County): 509-575-2490 or Ecology's Southwest Region (all other WSDOT Southwest Region Counties): 360-407-6300. Upon notification of a spill, Ecology will require the following information:
 - Location of Spill
 - What product spilled
 - Quantity of spill
 - Who spilled the material
 - Status of any Cleanup activities
 - Follow up contact person
- ***The Corps of Engineers has also asked to be notified BEFORE any in-water work is begun.*** If Region Environmental Staff cannot be contacted before work must be started, Operations staff should contact the first available of the following: **Anne Robinson – (206) 764-6951** If not Anne then **Kate Stenberg – 206 764-6912**. If you cannot reach Anne or Kate then contact **Muffy Walker 206 764-6915** and as a last resort contact **Branch Chief Tom Mueller 206 764-6695** If it is after hours contact **Muffy at 206 781-0469 or Tom at 206 842 0155**. **Fax number is 206 764-6602. At the very least leave a voice mail and give them a fax of the information. Give them the following information:**
 - Where the work is located
 - What work is being performed and how it is being performed
 - If any work is being performed in wetlands or below the ordinary high water mark (fresh water) or below mean higher high water (tidal)
 - Is this replacement of existing or something new
 - What coordination with the services on ESA/Essential Fish Habitat has occurred
 - Photos and anything else that could help them determine what is being proposed

Any additional notifications required for in-water work or other emergency response activities, will be initiated by the Environmental Office on the first business day following the response notification. Such situations would normally involve response activities in or near waters of the state, or other critical or environmentally sensitive areas. When in doubt whether a particular activity requires a permit, Operations staff should always make the appropriate contact pursuant to these procedures.